

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CURTIS WALKER,

Defendant.

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No. 4:06-CR-540 CAS

ORDER

Pending before the Court is defendant's motion for return of seized property. [Doc. 30] Defendant's motion is denied without prejudice on the basis that defendant has not complied with the Local Rules of this Court. Defendant failed to comply with the Court's Local Rules in that his motion is not signed. Local Rule 2.01(A)(1) of this Court requires that each document be signed by a party or the party's attorney, and that the signer's name must be below the signature, along with the signer's address and telephone number, if any.

Furthermore, defendant failed to include a certificate of service with his motion. Federal Rule of Civil Procedure 5(a), which applies to motions filed and served in a criminal matter, requires that all papers include a certificate of service, to reflect that a copy was sent to opposing counsel. Fed. R. Civ. P. 5(a); Fed. R. Crim. P. 49. An acceptable certificate of service could state, "I certify that a copy of the foregoing was mailed, postage prepaid, in the U.S. Mail on this ____ day of July, 2007, to: Richard L. Poehling, Sr., and Roger A. Kelly, Jr., Office of U.S. Attorney, 111 S. Tenth Street, 20th Floor, St. Louis, Missouri," with defendant's signature following the certificate of service. A certificate of service in approximately this format must be included on every document submitted to the Court for filing, or the document will be returned to defendant without filing.

Accordingly,

IT IS HEREBY ORDERED that defendant's motion for return of seized property [Doc. 30] is **DENIED without prejudice.**

IT IS FURTHER ORDERED that in the future, all documents submitted by defendant shall include his signature and a certificate of service as stated in this Order, or the documents will be returned to defendant without filing.

A handwritten signature in black ink, appearing to read "Charles G. Shaw", written over a horizontal line.

UNITED STATES DISTRICT JUDGE

Dated this 23rd day of July, 2007.